

6/16/00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)

( NOT PCT Applications)  
For Design, Provisional, or Utility Applications

PATENT  
APPLICATION

COMPLETION Under  
Rule 53(f)

Attn: Application Division

In re PATENT APPLICATION of

Inventor(s): CALLUAUD et al

Appln. No.:

09

466,971

Series Code

Serial No.

Atty.Dkt.

PM

270804

M#

P29US2

Client Ref

Filed: December 20, 1999

Title: SUBSTANCE DELIVERY APPARATUS

Hon. Asst. Commissioner of Patents  
Washington, DC 20231

Date: June 13, 2000

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. Notice to File Missing Parts ☒ copy attached ☐ not yet received

2. ☒ Signed Declaration as originally filed in parent application attached. ☐ Original ☒ Facsimile/Copy

(Always "X" box 2 if filling signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or

"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.

2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3. ☐ Specification originally filed in non-English language; hence verified translation attached of:

a. ☐ Abstract

b. #  Pages of Specification (only spec. & claims)

c. ☐ Drawing(s)

No of Sheets

☐ Fig(s).

4. ☐ Letter filing formal drawing attached.

5. ☐ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

7. FOREIGN priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in Australia

Application No.	Filing Date	Application No.	Filing Date
(1) PO4186		(2)	
(3)		(4)	
(5)		(6)	

Completion Under Rule 53(b)

9. 1 (No.) Certified copy (copies): ☐ attached; ☒ previously filed (date) August 20, 1998  
in U.S. Application No. 08/989,150 filed on December 12, 1997
10. ☐ Attached: \_\_\_\_\_ (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27.
11. ☒ Attached: PRELIMINARY AMENDMENT
12. ☐ Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code
13. Basic Filing Fee . . . . .				Design Application	\$310/\$155	(Prev. pd.) 106/26
				Not Design Application	\$690/\$345	+0 101/201
14. Total Effective Claims	47	minus 49 =	0	x \$18/\$9	+0	103/203
15. Independent Claims	2	minus 3 =	0	x \$78/\$39	+0	102/202
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line <u>blank</u> if this is a <u>reissue</u> application)					\$260/\$130	+0 104/204
17. Surcharge for filing Declaration/filing fee late					\$130/\$65	+130 105/205
18.				FILING FEE ENCLOSED =		\$130
19. <u>Original due date:</u> May 14, 2000						
20. <b>Petition is hereby made</b> to extend the <u>original</u> due date to cover the date this response is filed for which the requisite fee is attached				(1 mo)	\$110/\$55 =	+110 115/215
				(2mos)	\$380/\$190 =	116/216
				(3mos)	\$870/\$435 =	117/217
				(4mos)	\$1360/\$680 =	118/218
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .				\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee. . . . .				\$40	+0	581
23. Petition Fee for				\$130	+0	
24.				TOTAL FEE ENCLOSED =		\$240

Our Deposit Account No. 03-3975

Our Order No. 74066

270804

C#

M#

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Madison & Sutro LLP**  
Intellectual Property Group

1100 New York Avenue, NW  
Ninth Floor  
Washington, DC 20005-3918  
Tel: (202) 861-3000  
Atty/Sec: GJP/MLM

By Atty: Glenn J. PerryReg. No. 28458Sig: 

Fax: (202) 822-0944

Tel: (202) 861-3070

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments

## FORMALITIES LETTER



\*OC000000004990649\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/466,971	12/20/1999	MICHEL CALLAUD	38730.830029

ANDREW D SORENSEN ESQ  
HOLLAND AND HART LLP  
555 17TH STREET SUITE 3200  
P O BOX 8749  
DENVER, CO 802018749

Date Mailed: 03/14/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

---

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY